

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

LORI E. STRAIGHT, : CASE NO. 1:12 CV 2208
Plaintiff, :
-vs- : ORDER ADOPTING THE
COMMISSIONER OF SOCIAL : MAGISTRATE JUDGE'S REPORT AND
SECURITY, : RECOMMENDATION AND
Defendant. : REVERSING THE COMMISSIONER'S
: DECISION AND REMANDING

UNITED STATES DISTRICT JUDGE LESLEY WELLS

Plaintiff Lori E. Straight seeks judicial review of the Commissioner of Social Security's final decision denying her claim for social security disability benefits. This matter was automatically referred to United States Magistrate Judge Nancy A. Vecchiarelli pursuant to Local Civil Rule 72.2(b). In a Report and Recommendation dated 19 April 2013, Magistrate Judge Vecchiarelli recommended that the Commissioner's decision be reversed and the case remanded for further proceedings. (Doc. 19). The parties were advised that objections to the R&R were to be filed within fourteen days after having been served with a copy of it, and that a failure to object may result in waiver of the right to appeal.

Pursuant to 28 U.S.C. § 636(b)(1), this Court makes a de novo determination of those portions of the R&R to which a timely objection is made. "When no timely

objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed. R. Civ. P. 72(b) advisory committee's note.

In this instance, the Commissioner entered a response indicating that no objection would be forthcoming. (Doc. 20). Therefore, having reviewed Magistrate Judge Vecchiarelli's R&R and found no clear error, the Court hereby adopts her recommendation and reverses the Commissioner's decision. This matter is remanded for proceedings consistent with the Report and Recommendation.

IT IS SO ORDERED.

/s/ Lesley Wells
UNITED STATES DISTRICT JUDGE

Date: 10 May 2013